

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

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|---------------------------|---|--------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 10-03066-01-CR-S-DGK |
| |) | |
| ERNEST UNDERWOOD, |) | |
| |) | |
| Defendant. |) | |

ORDER

Pending before the Court are Defendant's Motions to Suppress (Docs. 24 & 25), the Government's response (Doc. 30), the Government's supplemental response (Doc. 35), United States Magistrate Judge Matt J. Whitworth's Report and Recommendation (Doc. 37), and Defendant's objection to the report and recommendation (Doc. 38). The Court has also reviewed the transcript from the suppression hearing (Doc. 36).

After carefully reviewing the Magistrate's report and conducting an independent review of the record and applicable law, the Court hereby ORDERS that Magistrate Judge Whitworth's Report and Recommendation be ADOPTED. Defendant's Motions to Suppress Evidence (Docs. 24 & 25) are hereby DENIED.

IT IS SO ORDERED

Date: June 27, 2011

/s/ Greg Kays
GREG KAYS, JUDGE
UNITED STATES DISTRICT COURT